
A BILL FOR AN ACT

PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII
TO PROVIDE FOR REFERENDUM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that no method exists for
2 referendum in Hawaii. The legislature further finds that
3 referendum is a direct vote in which the electorate can vote on
4 particular proposals. Referendum empowers voters to drive
5 legislation.

6 This Act is self-executing; however, the legislature may
7 enact legislation to enable the operation of referendum,
8 including the timing and manner of a referendum; provided that
9 the legislation shall not restrict or limit the provisions of
10 this Act or the powers reserved to the electorate in this Act.

11 The purpose of this Act is to propose amendments to
12 Articles II and III of the Constitution of the State of Hawaii
13 to provide for referendum.

14 SECTION 2. Article II of the Constitution of the State of
15 Hawaii is amended by adding a new section to be appropriately
16 designated and to read as follows:



1 "REFERENDUM

2 Section . Referendum. Referendum power shall be
3 reserved to the people, except for laws providing for making,
4 amending, or repealing laws for appropriation of public funds
5 and for collective bargaining agreements."

6 SECTION 3. Article III, section 1, of the Constitution of
7 the State of Hawaii is amended to read as follows:

8 "THE LEGISLATURE

9 LEGISLATIVE POWER

10 Section 1. [The] Except for the referendum power that is
11 reserved to the people as provided in article II, section ,
12 the legislative power of the State shall be vested in a
13 legislature, which shall consist of two houses, a senate and a
14 house of representatives. Such power shall extend to all
15 rightful subjects of legislation not inconsistent with this
16 constitution or the Constitution of the United States."

17 SECTION 4. Article III, section 14, of the Constitution of
18 the State of Hawaii is amended to read as follows:



1 "BILLS; ENACTMENT

2 Section 14. No law shall be passed by the legislature
3 except by bill. Each law shall embrace but one subject, which
4 shall be expressed in its title. The enacting clause of each
5 law shall be, "Be it enacted by the legislature of the State of
6 Hawaii." "

7 SECTION 5. The question to be printed on the ballot shall
8 be as follows:

9 "Shall the Constitution of the State of Hawaii be amended
10 to specify that referendum power shall be reserved to the
11 people, except for laws providing for making, amending, or
12 repealing laws for appropriation of public funds and for
13 collective bargaining agreements?"

14 SECTION 6. In codifying the new section added by section 2
15 of this Act, the revisor of statutes shall substitute an
16 appropriate section number in designating the new section in
17 this Act.

18 SECTION 7. Constitutional material to be repealed is
19 bracketed and stricken. New constitutional material is
20 underscored.



1 SECTION 8. This amendment shall take effect upon
 2 compliance with article XVII, section 3, of the Constitution of
 3 the State of Hawaii.

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H.B. NO. 459

Report Title:

Constitutional Amendment; Referendum

Description:

Proposes amendments to the Constitution of the State of Hawaii to provide for referendum by the electorate.

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